

## **2. RESPONSE/REMARKS**

### **2.1 STATUS OF THE CLAIMS**

*Claims 1-7, 9-31, 46-48, 51, 54, and 72-75 were pending at the time of the last Action.*

*Claims 2-7, 11-13, and 16-26 have been canceled herein without prejudice or disclaimer.*

*Claims 1, 9-10, 14-15, 27-31, 47, 51, 54, and 72-75 have been amended herein.*

*Claims 1, 9-10, 14-15, 27-31, 46-48, 51, 54, and 72-75 remain pending in the application.*

### **2.2 RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT.**

The Notice objected to the Amendment submitted on November 20, 2009 allegedly as failing to comply with 37 C.F.R. § 1.121(c) for the following reasons:

In claim 9, the inserted colon was not underlined in Applicants' previous amendment. Correction has been made in the accompanying amendment by underlining the punctuation mark ":" in line 1.

The Notice objected to claim 14 allegedly because the deletion of text was shown by double bracketing rather than by strikethrough. Correction has been made in the accompanying amendment by replacing the double bracketed phrase [[13]] with the strikethrough phrase ~~13~~ in line 1.

The Notice objected to claim 47 allegedly because line 3 contained previously-deleted text. Correction has been made in the accompanying amendment by deleting the previously-stricken phrase "a" from line 3.

The Notice objected to claim 72 allegedly because line 5 contained an omitted stricken word. Correction has been made in the accompanying amendment by inserting the stricken word "~~exon~~" at the end of element (a) immediately preceding the semi-colon.

**2.3 APPLICANTS INCORPORATE THE RESPONSE AND REMARKS FILED PREVIOUSLY.**

Applicants hereby incorporate in its entirety the response filed on November 20, 2009, and request the Office's full consideration of the remarks therein. Applicants also request entry and consideration of the IDS filed concurrently with Applicants' previous submission.

Applicants believe this to be a complete response to the Notice, and request that the accompanying Amendment now be entered and fully considered.

Applicants earnestly solicit the issuance of a Notice of Allowance in the case with all due speed; and note for the record their explicit right to re-file claims to one or more aspects of the invention as originally claimed in one or more continuing application(s) retaining the priority claim from the present and parent cases.

Should the Examiner have any questions, a telephone call to the undersigned Applicants' representative would be appreciated.

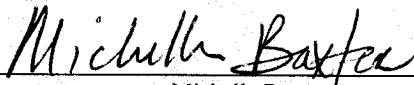
Respectfully submitted,



Mark D. Moore, Ph.D.  
Registration No. 42,903

**Dated: March 5, 2010**  
HAYNES AND BOONE, LLP  
Customer No. 00027683  
Telephone: 713/547-2040  
Facsimile: 214/200-0853  
Client Matter No. 36689.259

36689.259  
H-810605v1

Certificate of Service
I hereby certify that this correspondence is being filed electronically with the U.S. Patent and Trademark Office via EFS-Web on March 5, 2010.
 Michelle Baxter